App. F. IX-4

1932.

File No. 6-32

Previous References

Serial Nos.

Later References

General and Revenue Secretariat.

Serial Nos. 102

Part B for Jan 1932

SUBJECT.

Lease of the inam lands enclosed to the Sri Lakshminarasimhaswamy temple at Hole Narasipur

To Messrs Ranganna & Mahomed Ibrahim Sahib, Hole Narasipur

Intimating that their request as set forth in the above case cannot be considered.

11/8/32

Mz appeal petn No 2 of 32-33
Re: the lease of Inam lands endowed
to Sri Lakshmi Narasimha Swamy Temple
at Holenarasipur.

General and Revenue Secretariat | Mz 3 | File No. | of 1932.

[App. F. II, 2

Serial No.

Petition dy 1-7-32 filed by Messrs Md Iqbal Husain and K. Gyebiah Advocates on behalf of their clients Nanjappa and Mahomed Ibrahim Sab of Holenarsipur appealing against the orders of the Mysore Commissioner regarding the Inam lands endowed to Sri Lakshmi-Narasimha Swamy Temple at Holenarasipur.

Kind perusal is invited to para 14 of Mz 63-29 & portion contained the minute of the First Member of Council in regard to these lands.

The petrs pray for confirmation of the portion of the order passed by the H-C declaring to the sale of the lands referred to therein at Rs 10,000/- which is calculated by the H-C to give an annual of Rs 600/- per annum.

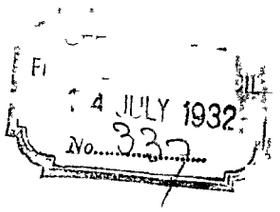
The order of the H-C appealed against is dated 5-7-29 & the appeal is barred by time & it is respectfully submitted that there appears to be no proper grounds for entertaining the appeal.

7/7

This is not an appeal at all - the petrs pray for a reconsideration of the orders already passed by Govt in their letter to the H.C. (Vide flag T). They represent that the Office of ...

NOTE—Contn. Sheet.

Mr. by which they could have purchased the lands for Rs 10000/- may be confirmed which reply is invited to the first Member's minute dy 6.10.29 in reply to this (Flag B).
In view of this the petrs may perhaps be informed that their request cannot be considered. Meantime the Mr. may be asked to report why no action has been taken ~~after~~ as per orders contd in this office letter dy 21.10.29 (Flag T) 1A 1B



Petrs

7/7/32

(1st Member)

A 14/7

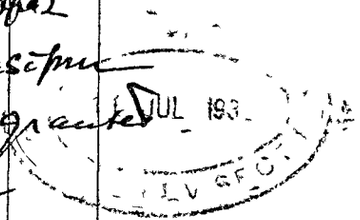
A Agn

B Accountant General

7/32

Gen Dept 16/7

No 134 dy 18/7/32 to Messrs Nainappa & Mahomed Ibrahim Sahib of Kolencheri intimating that their request cannot be granted



No 135 dy 18/7/32 to Messrs Mir Iqbal Hussain and K. Subbiah Ayyangar forwarding for their information copy of the above endorsement.

26/7

CHIEF SECRETARY No. REVENUE BRANCH

Revenue: 6-32-1

GENL. & REV. SECRETARIAT 14 4 JUL. 1932 MUZRAI.

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

*****:0:*****

Muz. Mis. Petn. No. 2 of 1932-33.

6/7/32

Petitioners:-

(1) Nanjappa, son of Bale Venkataswamiah, Holenarsipur, Hassan District.

(2) Mahomed Ibrahim Sab, Merchant, Holenarsipur, Hassan District.

The petitioners above-named respectfully beg to bring the following facts to the consideration of the Government and pray for the redress of their grievances.

1. The petitioners and several others are ryots in possession and enjoyment of lands bearing Survey Nos. 92, 93, 94, 96, 98, 101, 102, 104, 107, 109, 111, 113, 115 of Holenarsipur Town. Several of these lands have changed hands and are in possession and enjoyment of bonafide purchasers.

2. The Kandayam for these lands is paid by the said ryots even till this day. The Inam register though it contains the Survey Numbers above-named as belonging to Sri Lakshminarasimhaswami Temple is silent on the point as to when and by whom the said lands were granted as Inam.

~~granted~~.

However the Sub Division Officer, Hassan District made a report that these lands belong-to the temple in face of the above-mentioned facts and also of the kandayam receipts given to the petitioners and other ryots and their predecessors in-title.

4. The Dharmadarsis of the temple at a meeting held on the 23rd November 1923 resolved that it was not feasible to disturb these ryots considering their long possession but agreed to take a rental of Rs. 18/- per acre from them. Due to certain differences amongst the ryots this resolution of the Dharmadarsis was not accepted.

5. Later on the sale of the lease of these lands was held on the 26th October 1926, for an annual rental of Rs. 400/-. Against such a sale appeals were filed by the ryots in Revenue Courts of the Sub Division Officer and the Deputy Commissioner until finally an appeal No. C. 176 of 1927-28 was filed before the Muzrai Commissioner to Government who ordered alternatively either to lease the lands for periods ranging from 10 to 50 years or in case the ryots were prepared to pay Rs. 10,000/- which gives an average of Rs. 600/- per acre for the temple. One month was given to the ryots to accept the offer. The ryots inform-

informed their readiness to accept the &££&& condition and were prepared to give the sum of Rs. 10,000/-. But in the meanwhile an order from the Financial Secretary to Government of Mysore was received which put an end to the hopes of the humble ryots. The copy of the order of Muzrai Commissioner is here with attached.

6. The petitioners most respectfully beg to state that they and their predecessors in title were in possession and enjoyment of the lands from the time of their ancestors. Some of the lands have even changed hands. That the ryots have spent much money for the improvement of their lands which are in the possession of about 50 families comprising of about 200 persons each enjoying in small units of 2 to 3 gunthas. All these will not only be deprived of their lands but will practically be ruined and rendered destitute.

7. In the meanwhile the petitioners are being asked to get out from their holding and in case favorable and early orders are not passed, they will be rendered homeless and left without a living. Wherefore the petitioners respectfully pray that the order of the Muzrai Commissioner selling the lands to the ryots for Rs. 1,000/- be kindly confirmed for which act of kindness the petitioners will ever remain grateful.

Mir Iqbal Hussain
H. Subbiah
Advs for Petitioners
Bangalore
Dated 1-7-32

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore,

No. 1966/ Secy

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore.*

To

Messrs. Gururaja, Sharma
Advocates, Cottonpet,
Bangalore City.

Sir,

With reference to your petition of 10th June 1955, I am directed to inform you that your request for the grant of copy of letter No. Ob/Mad.65-55-4 dated 21st October 1955 from the Financial Secretary to the Madras Commissioner, cannot be complied with.

Yours faithfully,

For Financial Secretary to Govt.

EIG ANNAS ONE RUPEE

In the Court of the Assistant Commissioner in Mysore

Appellants:- S. Nanjappa, Bale Venkata Swamiah and 50 others, of Hole Narasipur Town

Subject:- Appeal (C170 of 27-28) of S Nanjappa and others of Hole-Narasipur against the order of the Deputy Commissioner Hassan District directing the lease for 5 years of the inam lands endowed to Sri Lakshmi Narasimha Swamy temple at the place and Town in their possession

Facts of the case:- The marginally noted inam lands are in the possession and enjoyment of several persons numbering 45 who pay an annual rental of Rs 1160-1-8. Out of which Rs 86-11-11½ go to Government as quit rent and cesses on the lands and the balance of Rs 53-5-9 goes to the temple. The alienation of Survey no 92 by sale was brought to light.

92	Garden	3-2	assessl. 9-0
93	do	1-3	2-12-0
94	do	0-32	8-0
	Well-	0-8	
96	Garden	1-34	7-8-0
98	do	1-9	4-8-0
	Well-	0-10	
99	Garden	1-15	6-0
101	"	0-9	1-0-0
102	"	0-11	1-8-0

107	garden	0-13	1-12-→
106	"	0 2	0 4→
105	do	0 6	0-8→
109	do	0-23	3 8→
111	do	1 24	8 8→
113	do	0 29	28-→
	bee	2 21	
115	garden	1 6	10-→
	bee	1 21	
	Total	17-35	92-12→

Protected gardens 14-18
Reserved 3-17
Total 17-35

After protracted correspon
-d. it was ordered in November 1921
by the then Dy. Commissioner that
necessary action be taken
by the Sub Division Officer for
the eviction of the aliences
after hearing them. Later
in 1923 the 146 came to light. The resumption
proceedings were ordered by the Dy Comr
in his no 644 dated 8-8-23. The Sub Division
Officer thereupon directed on 24-9-23 that the lands
may as desired by the Dharmadarsis be leased out
for 5 years. As the sale of the leasehold by the Subvil
authorities there were no bids. The Dharmadarsis
after considering the petitions of the tenants resolved
at a meeting held on 23-11-23 that as it was
not feasible to dispossess the tenants the lands
might be allowed to remain in their possession
on payment of a rental of Rs 18/- per acre.
The Amildar recommended sanction to this
proposal. Since by this arrangement the income
increased from Rs 141-8-11 to Rs 321-4-0 i.e by Rs 179-11-1.
The Sub Division Officer ordered on 6-3-24 that
a muchalka agreeing to pay the enhanced rental

might be obtained from all the Sagurmadars and Senbogh. The Sagurmadars who were called upon to come to Mutchalika not having responded the Amildar recommended on 13-9-24 that the lands might be leased out for 5 years. This proposal was approved by the Sub Division Officer in his order dated 5.10.24. In the Sale that was held on 26-10-1926 an annual rental of Rs 40/- was realized, the highest bidder being one Kittanni Narasimhachar. The Sale records were sent up by the Amildar to the Sub Division Officer for confirmation of the Sale. The Sub Division Officer in turn submitted the records to the Dy Comm with his yadi of 9-3-27 recommending that the Sale might be confirmed. In the yadi above referred to he stated that some of these Gharan lands were Soppina bota growing Greens and some were vegetable and flower gardens and that the tenants did not agree to pay a lease of Rs 18/- per acre for Bagayat lands in addition to the yeri and cesses to Govt and a reasonable rent.

to 5 years and that of garden lands to 10 years on the recommendation of the Subdivision Officer the Dy Commissioner confirmed the sale of the lease of the lands for a period of 4 years beginning from 27-28. On a revision petition to the Dy Comr ~~Commissioner~~ he declined to reconsider the orders already passed. The present appeal is against this order. The appellants urge in their petition that they are in the enjoyment of the lands from the time of their ancestors. Some having even changed hands by sale etc. that they have spent much for the improvement of the lands which are split up into small bits of 8 and 10 cawnies and in the possession of and if they are deprived of the same now these family 50 families comprising over 200 persons would be thrown out of employment and rendered destitute without a living. They offer to purchase the occupancy rights itself by paying a reasonable amount equitable both to themselves and the institution of which they are the Bhaktas and spoke in this connection the instance of Sri Ranganswamy temple lands which are only half a mile distance from their lands having been confirmed to the Tryst at Rs 16/- per acre

and Rs 25/- per acre of garden land and Rs 50/- per acre for wet lands. They have accordingly put an upset price of Rs 6000/- for the total extent of 67 and odd acres. The appellants represented by their counsel were heard the respondent auction purchasers being absent.

order no 97 dt 26-4-29. Dated 7-5-29.

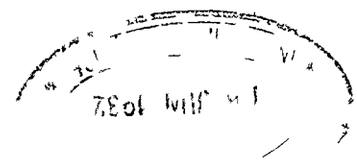
After a careful examination of the available evidence in the case, I am not satisfied that the appellants have made out that they have any Kadim or permanent right to the lands. They seem to be aware of this position and have offered to buy up the right of the temple at rates which seem to me to be ridiculously low. The Dharmadarsis had once made a very generous offer to them with Rs 18/- per acre which would have raised the income from Rs 161-8-4 to Rs 321-6-0 but this could not be given effect owing to the unreasonable attitude of the appellants. The action taken to sell the lease of the lands was in these circumstances the only possible course and the appellants have themselves to blame if their behaviour leads to them being deprived of lands on which they have spent some labour to convert them into vegetable and flower gardens

am however prepared to
to them at the following rates.

As 15/- per acre lease to be limited to 10 years,
As 18/- per acre of the lease is for a period
of 20 years. As 20/- per acre of the period of the lease
is to be 30 years and Rs 25/- of the period of lease
is to be 50 years. I am not in favour of selling the
lands to them unless they are prepared to pay
Rs 10,000, which gives an average of Rs 600/- per
acre as against Rs 6000/- offered by them. They
should be given one month's time to accept the
above conditions or failure to undergo
by commissioner regarding eviction and sale
of the lease hold land.

Signed P. V. D'Souza
Asst. Commissioner

Copy applied for by
Mir Zahal Hussain
Copy ready 11-6-32
Copy delivered
No Words 1025
Copying fees 1-6-0
Comparing fees 0-3-8
Copied by A Bheemsrao
Compared by S Jagannadhao



"Copy"
D. Venkatachalapathy
Manager
Asst. Comm's Office

15/6/32

TWO RUPEES

Before the ~~In the court of~~ Government of His Highness The Maharaja of Mysore

Misc. Mis. Pet. No. of 1932—1933.

~~Plaintiff~~—Petitioners ~~Appellant~~. Vs. Defendant—Opponent Respondent.

Manjappa.
Mahomad
Ibrahim Sab

VAKALATNAMA.

executed by the Petitioners, in favour of
MESSRS. MIR IQBAL HUSAIN, B.A., B.L, and
K. GUBBIAH, B.A., LL.B., Advocates.

I/we hereby empower the said advocates in person or by proxy, on my/our behalf, to appear in, and conduct the above case, as well as any proceedings arising out of and connected with the same, either during its progress or after its decision, to execute any decree that may be passed therein in my/our favour to withdraw, compromise or refer to arbitration the said suit and to do all such acts as may be proper and necessary for the due conduct thereof, including the signing, and presentation in Court, of the necessary petitions and papers.

And I/we further authorize the said advocates to receive and give receipts for, any money, document, or other moveable property, that is, or may become, payable to me/us in the course of the said case or proceedings.

Bangalore
~~D~~ 1-7-1932

Manjabbe
(Sd.) Mahomad Ibrahim)

We know the executant who ha signed before us.

Accepted.

Mir Iqbal Husain
&
K. Gubbiah

Advocates.

SUBJECT .....

.....

.....

Section Rev 3

File No. C-32

Serial No. 2

Diary No. of letter replied to .....

No. 134/Rev.

To

Messrs (1) Navappa Son of Bale

Venkatasawmiah -

& (2) Md Ibrahim Sah - Revenue

Holenarsipur - Hassan Dt.

Subject :- Re : Inamlands

endowed to Sri Lakshmikana-

Simhaswami temple at

~~Place~~ Holenarsipur

With reference to your letter of

1.7.32 on the above subject

Messrs Navappa & Md Ibrahim

Sahb ~~Incumbent~~ Holenarsipur

are informed that their

request cannot be ~~granted~~ Considered

B. O

Date of issue ...18/7/1932...

Signed by ...B. Muddukrishnabba...

List of enclosures .....

Copied by .....

Examined by .....

for a reconsideration of the orders already passed in the matter

WD 71—GBPM—40,000—20-7-31

of the above ex.

Messrs Mir Iqbal Hussain BA BL

& K. Qudbi ch BA LLB. Advocates.

Bangalore City for the Accused

B. O

For Accused

M Dept.

Ex No
16/7